

REMARKS/ARGUMENTS

Claims 1, 2, 4, 5, 9, 10, 19, 20, and 30-39 were previously pending in the application. Claims 1, 4, 9, 10, 19, 20, 30-33, 35, 37, and 38 are amended; claims 2 and 5 are canceled; and claims 40-42 are added herein. Assuming the entry of this amendment, claims 1, 4, 9, 10, 19, 20, and 30-42 are now pending in the application. The Applicants hereby request further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

Between 12/13/10 and 12/16/10, the Examiner and/or his supervisor, Dwayne Bost, participated in three telephonic interviews with the Applicants' attorney David Cargille. It is the Applicants' understanding that agreement was reached that claims 1, 9, and 19, as amended herein, distinguish over the prior art of record. The Applicants thank the Examiner and Mr. Bost for the courtesy of those interviews.

Claim 1 has been amended to recite "[a] cordless telephone, comprising: a remote handset; and a base unit matched to said remote handset, wherein said remote handset comprises: a digital audio bit stream player adapted to play a digital audio bit stream comprising music; a summer adapted to digitally sum a digitally synthesized ring tone indicating an incoming call to said base unit with the digital audio bit stream to allow a user of said cordless telephone to hear said cordless telephone ringing along with said music; and a means for muting the playing of said digital audio bit stream by an action initiated by a user of said cordless telephone when said cordless telephone receives a telephone call." Support for the amendments to claim 1 is found, e.g., at page 2, lines 13-20; page 3, lines 27-31; page 5, lines 4-19; page 12, lines 17-25; page 13, line 28, through page 14, line 14; and page 14, line 30, through page 15, line 3; and page 16, lines 6-9, of the specification.

The Applicants respectfully submit that the cited art fails to teach or suggest a remote handset having the combination of elements recited in claim 1. The Applicants therefore submit that claim 1 is allowable over the cited references. For similar reasons, claims 9 and 19, as amended, are also allowable over the cited references.

Since claims 4, 10, 20, 30-33, 35, 37, and 38 depend directly or indirectly from claim 1, 9, or 19, it is further submitted that those claims are also allowable over the cited references.

The present amendments are being made for the sake of expediency, in order to accelerate the issuance of a patent, and for other sound business reasons. The Applicants reserve the right to further prosecute the previously pending claims in their original or previously pending forms in a continuing application.

Newly presented claims 40-42 depend respectively from independent claims 1, 9, and 19, and, for the reasons set forth above, are patentable by their dependence therefrom.

Conclusion

For the reasons set forth above, the Applicants respectfully submit that the rejections of claims 1, 4, 9, 10, 19, 20, and 30-39 have been overcome.

In view of the above amendments and remarks, the Applicants believe that the now-pending claims are in condition for allowance. Therefore, the Applicants believe that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Fees

During the pendency of this application, the Commissioner for Patents is hereby authorized to charge payment of any filing fees for presentation of extra claims under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17 or credit any overpayment to Mendelsohn, Drucker, & Associates, P.C. Deposit Account No. 50-0782.

The Commissioner for Patents is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Respectfully submitted,

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